

REMARKS

Favorable reconsideration of this application is requested in view of the the following remarks. Claims 1-5 and 13-15 remain actively pending in the case. Reconsideration of the claim is respectfully requested.

In paragraph 3 on page 3 of the Office Action, claims 1-5 and 13-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Massarky (US Patent 6,141,482) in view of Thagard et al. (US Patent 6,266,069). Applicants respectfully traverse the rejection.

As admitted by the Office Action, Massarky fails to disclose fails to teach that a remote color display device upon receipt of an image is capable of controlling display of the image without further user intervention, and means for allowing selection of images from the database to be displayed on the remote color display.

Applicants respectfully assert that the rejection is improper since Thagard cannot be applied under 35 U.S.C. § 103(a). Applicants' application was filed in the United States on October 16, 2001, having a priority date of November 18, 1998 to Application No. 09/195,355 - now abandoned. Applicants submit that the claims in Applicants' continuing application have an effective filing date of November 18, 1998 because the claims are supported by the disclosure in the earlier application (09/195,355). The Thagard reference, on the other hand, has a US filing date of April 5, 1999. Therefore, the Thagard reference is not available as a reference under 35 U.S.C. § 103(a).

Therefore, Applicants request that the Examiner withdraw the rejection of obviousness for claims over the cited references.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.